

REMARKS/ARGUMENTS

The claims are 1-15. Claims 1-15 have been amended to improve their form. The specification has also been amended to expressly refer to the subject matter of claims 6 and 7. Reconsideration is expressly requested.

The disclosure was objected to as containing no reference to the equalization length as claimed in claims 6 and 7. In response, Applicant has amended the specification to provide such reference as requested by the Examiner, which it is respectfully submitted overcomes the objection to the specification on the basis of this informality.

Claims 1-15 were objected to because of certain other informalities set forth on page 3 of the Office Action. In response, Applicant has, inter alia, amended claim 1 to change the "latter" to - - microscope body - - and has amended claim 15 to remove the words "in other words focusing." These claims and the remaining claims have also been amended to improve their form. It

is respectfully submitted that these amendments overcome the objection of the Examiner to the claims on the basis of these informalities.

Claims 1-4, 8-10 and 12-15 were rejected under 35 U.S.C. 102(b) as being anticipated by *West U.S. Patent No. 4,963,018* the remaining claims 6, 7, 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over *West*. Essentially the Examiner's position was (1) that *West* discloses the method and device recited in the claims except for referring to the equalization length, which the Examiner interprets as similar to that of the focal length and except for a clamp or screw attachment, (2) that *West* discloses equivalent features and that these features would be within the skill of the art, and (3) that it would have been obvious to one of ordinary skill in that art to have the *West* device have the claimed equalization length for the purpose of viewing the wall of the cylinder at different distances to obtain an in-focus image of the cylinder wall and to include a clamp for the purpose of more securely holding the microscope in place relative to the cylinder being inspected.

This rejection is respectfully traversed.

As set forth in claims 1 and 2 as amended, Applicant's invention provides a method in computer-controlled confocal microscopy for producing three-dimensional surface images of internal surfaces of cylinders in engine blocks and a device for implementing this method. The surface images are produced by using a confocal microscope having a microscope body and a tube attached to the microscope body and having a lens, which is preceded by a deflection optical system having a horizontal translator. In this way, Applicant's invention provides a method and a device that permits non-destructive three-dimensional inspection of inner walls of cylinder areas for particular use in the automobile industry. By using a confocal microscope, the path of rays is directed orthogonally to the surface, which surface itself is pictured three-dimensionally.

In contrast, *West* describes an apparatus which measures the distance or interval from the apparatus to a surface. In other words, no surfaces are depicted by *West's* ranging apparatus.

Rather, only the distance from the measuring head to the cylinder are ascertained in an angle method without a microscope. No information regarding the surface condition is obtained by *West's* device. Although *West* at column 1, lines 62-63 refers to inspecting the surface of a wall of a cylinder bore, in accordance with *West's* disclosure only distances are measured without using a microscope. Accordingly, contrary to the Examiner's position, not only is the method and device recited in claims 1 and 2 as amended nowhere disclosed or suggested by anything taught by *West*, there is nothing in *West* to lead one or skilled in the art to use a confocal microscope for optimizing the distance measurement, let alone for determining the condition of the surface three-dimensionally.

Thus, contrary to the Examiner's position, the features described by *West* are not equivalent to those set forth in Applicant's claims 1 and 2 as amended, and it is respectfully submitted that there is nothing in *West* nor anything within the skill of the art that would lead one to Applicant's invention as recited in the claims. Accordingly, it is respectfully submitted that claims 1 and 2 as amended are patentable over the cited

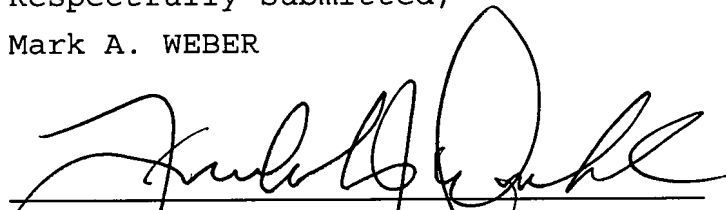
references together with claims 3-15 which depend directly or indirectly thereon.

In summary, claims 1-15 have been amended along with the specification. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Applicant also submit herewith a Supplemental Information Disclosure Statement.

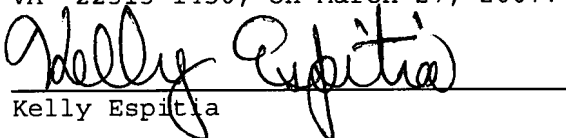
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 27, 2007.



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